

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

**CBZ-1274**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

**10/519517**

INTERNATIONAL APPLICATION NO.

**PCT/EP2003/004633**

INTERNATIONAL FILING DATE

**2 MAY 2003**

PRIORITY DATE CLAIMED

**4 JULY 2002**

TITLE OF INVENTION

**METHOD FOR OPERATING A TRACK FOR A RAILBORNE VEHICLE, AND CORRESPONDING TRACK**

APPLICANT(S) FOR DO/EO/US

**DIETER REICHEL**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO. .... \$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to

USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS PTO USE ONLY

DT01 Rec'd PCT/PT 23 DEC 2004

\$ 920.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	1 - 20 =		x \$18.00	\$
Independent claims	1 - 3 =		x \$86.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$

**TOTAL OF ABOVE CALCULATIONS =** \$ 1050☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$

**SUBTOTAL =** \$ 1050

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 130.00

**TOTAL NATIONAL FEE =** \$ 1180

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =** \$ 1180

Amount to be refunded:

\$

charged:

\$ 1180

- a. ☒ A check in the amount of \$ 1180.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 04-1403 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1403. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

DORITY & MANNING, P.A.  
P.O. Box 1449  
Greenville, SC 29602-1449

CUSTOMER NO. 22827

SIGNATURE

STEPHEN E. BONDURA

NAME

35,070

REGISTRATION NUMBER

10/519517  
DT01 Rec'd PCT/PTC 23 DEC 2004

**EXPRESS MAIL CERTIFICATE OF MAILING**

In re Application of: DIETER REICHEL

Serial No.: NOT YET ASSIGNED

Filed: HERewith

Entitled: METHOD FOR OPERATING A TRACK FOR A RAILBORNE VEHICLE, AND  
CORRESPONDING TRACK

Our Ref.: CBZ-1274

"Express Mail" - Mailing Label Number EV599453966US

Date of Deposit DECEMBER 23, 2004

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jacqueline M. Leonard  
(Typed or printed name of person mailing paper or fee)

Jacqueline M. Leonard  
(Signature of person mailing paper or fee)